

SO ORDERED




THOMAS J. CATLIOTA
U.S. BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

In re:

*

TRACY N LOVE

*

CASE NO.: 17-2-0409-TJC
(Chapter 13)

Debtor

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* * * * *

*

ALLY FINANCIAL INC.

*

Movant

v.

*

TRACY N LOVE

*

Respondent

*

* * * * *

CONSENT ORDER MODIFYING AUTOMATIC STAY

Upon consideration of the Motion Seeking Relief From Automatic Stay and to Reclaim Property filed by ALLY FINANCIAL INC., the Movant, with regard to the vehicle subject to its purchase money security interest, namely one 2014 Chevrolet Cruze, serial number 1G1PA5SG5E7335068; and Movant and the Respondent, Tracy N Love, having agreed to the terms of this Consent Order; it is, by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the Automatic Stay be, and it hereby is, terminated to allow Movant to exercise and enforce its state law and contractual rights and remedies with regard to the above-described vehicle; and it is further

ORDERED, that Movant shall dispose of said vehicle in a commercially reasonable manner and shall pay any surplus sale proceeds to the Respondent; and it is further

ORDERED, that Movant shall not exercise or enforce its state law and contractual rights and remedies with regard to the vehicle if Respondent does the following:

a. Cures the post petition arrearages in the amount of \$2,269.50 and makes the monthly contractual post petition payments for September 2019 through February 2020 by paying Movant \$741.40 by September 10, 2019, by paying Movant \$741.40 by October 12, 2019, by paying Movant \$741.40 by November 15, 2019, by paying Movant \$741.40 by December 15, 2019, by paying Movant \$741.40 by January 15, 2020, and by paying Movant \$741.40 by February 15, 2020; and

b. Resumes regular monthly contractual post petition payments of \$363.15 each to Movant, commencing 3/15/20 and continuing on the 15th day of each consecutive following month until the full amount owed under the contract for purchase of the vehicle has been paid; and

c. Pays Movant's counsel fees of \$506.00 by paying Movant \$506.00 by 4/01/20; and

d. Maintains a policy of comprehensive physical damage property insurance on the aforesaid vehicle which protects Movant's interests therein and provides Movant with proof of the same by 9/15/19 and within ten days of any subsequent request thereof.

AND IT IS FURTHER ORDERED, that if the Respondent fails to make any of the payments described above in full and on time, or fails to provide Movant with proof of insurance or maintain such insurance, as described in paragraph d above, then Movant may

immediately exercise and enforce its state law and contractual rights and remedies with regard to the vehicle without further proceedings in this Court after filing a notice of any such default and serving the same on the Respondent and the Respondent's counsel, giving the Respondent ten days from the date of such notice to cure such default (limited to one such notice),

AND IT IS FURTHER ORDERED, that if the Respondent's Chapter 13 case is dismissed or converted to Chapter 7, then Movant may immediately exercise and enforce its state law and contractual rights and remedies with regard to the vehicle, without further proceedings in this Court, unless all defaults in payments are immediately and fully cured.

AND IT IS FURTHER ORDERED, that the Respondent having waived the application of F.R.Bankr.P. 4001(a)(3), this Order shall be enforceable on the date of its entry.

The undersigned hereby agree to the terms of the foregoing Consent Order Modifying Automatic Stay.

/s/ Edward C. Christman, Jr.
Edward C. Christman, Jr.
810 Gleneagles Ct Ste 301

Towson, MD 21286
410-494-8388
Attorney for Debtor/
Respondent

/s/ MICHAEL J. KLIMA, JR
MICHAEL J. KLIMA, JR. #25562
8028 Ritchie Highway
Suite 300
Pasadena, MD 21122
(410)768-2280
Attorney for Movant
Attorney File No.: 19-38130-0

I HEREBY CERTIFY that the terms of the copy of the Consent Order submitted to the Court are identical to those set forth in the original Consent Order; and the signatures represented by the /s/ on this copy reference the signatures of consenting parties on the original Consent Order.

/s/ Michael J. Klima, Jr.
MICHAEL J. KLIMA, JR.

cc: Michael J. Klima, Jr., Esquire
8028 Ritchie Highway
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Nancy L. Spencer Grigsby, Trustee
Chapter 13 Trustee
185 Admiral Cochrane Dr.
Suite 240
Annapolis, MD 21401

End of Order